

SECOND SUBSTITUTE ORDINANCE NO. BL2018-1203

An ordinance amending Title 12 of the Metropolitan Code relating to scooters, in-line skates, and roller skates by ~~defining "scooter"~~ creating new definitions for scooters and business district and ~~removing~~ modifying certain requirements.

WHEREAS, Section 12.58 of the Metropolitan Code of Laws currently ~~treats~~ addresses both non-motorized and motorized scooters ~~in an identical manner~~; and

WHEREAS, Ordinance No. BL2018-1202 pending in ~~before~~ this body is intended to regulate motorized scooters sets forth a definition of Shared Urban Mobility Device (SUMD) which includes certain motorized scooters; and

WHEREAS, it is prudent to ensure operation of motorized scooters that are SUMDs and are not SUMDs in a consistent manner.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

~~Section 1. That Title 12 of the Metropolitan Code of Laws be amended to add a new chapter, "Chapter 12.04.192 — Non-motorized Scooter" as follows:~~

~~Chapter 12.04.192 — Non-motorized Scooter.~~

~~"Non-motorized scooter" means a device with a front set and rear set of wheels with a footboard between, steered by a handlebar, and is propelled without aid of a motor or other propulsion device.~~

Section 1. That Title 12 of the Metropolitan Code of Laws be amended to add a new section, "Section 12.04.193 – Motorized Scooter" as follows:

Section 12.04.193 – Motorized Scooter.

"Motorized scooter" means a device with a front set and rear set of wheels with a footboard between, steered by a handlebar, and is propelled with aid of a motor or other non-manual propulsion device.

~~Section 2. Chapter 12.58 — Scooters, Roller Skates and In-Line Skates be renamed "Chapter 12.58 — Non-Motorized Scooters, Roller Skates, and In-Line Skates" and be further amended by replacing all instances of "scooter" with "non-motorized scooter."~~

Section 2. That Title 12 of the Metropolitan Code of Laws be amended to add a new section, "Section 12.04.194 – Non-motorized Scooter" as follows:

Section 12.04.194 – Non-motorized Scooter.

"Non-motorized scooter" means a device with a front set and rear set of wheels with a footboard between, steered by a handlebar, and is propelled without aid of a motor or other non-manual propulsion device.

~~Section 3. That Chapter 12.58.060 be amended by deleting Section A and Section C and removing "B." from Section B.~~

Section 3. That Section 12.04.035 of the Metropolitan Code of Laws be amended by deleting the section in its entirety and substituting in lieu thereof the following:

12.04.035 - Business district.

"Business district", as defined in Tenn. Code Ann. §55-8-101(9), means the territory contiguous to and including a highway when, within any six hundred feet (600') along the highway, there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks, or office buildings, railroad stations and public buildings that occupy at least three hundred feet (300') of frontage on one (1) side or three hundred feet (300') collectively on both sides of the highway.

Section 4. That Title 12 of the Metropolitan Code of Laws be amended to add a new section, "Section 12.58.005 – Applicability" as follows:

Section 12.58.005 – Applicability

This section is intended to apply to scooters, roller skates and in-line skates that are not governed by Chapter 12.62 – Shared Urban Mobility Devices.

Section 5. That Section 12.58.020 be amended by deleting it in its entirety and replacing it as follows:

Section 12.58.020 - Sidewalks—Uses permitted—Manner of operation.

A. Except where erected signs prohibit or other provisions of the code prohibit such activity, non-motorized scooters, in-line skates, or roller skates may be operated on sidewalks, except within a Central Business Improvement District.

B. Motorized scooters may be operated upon sidewalks, except upon sidewalks within a business district. Whenever operating a motorized scooter upon a sidewalk, the operator shall yield to any pedestrian and shall give a signal audible to such pedestrian before overtaking or passing him or her.

Section 6. That Section 12.58.060 be amended by deleting the section in its entirety and substituting in lieu thereof the following:

Section 12.58.060 – Required Equipment

Whenever an operator of a scooter, in-line skates, or roller skates utilizes the sidewalk or permitted public roadway areas at nighttime, the operator shall be equipped with either (1) a lamp which shall emit a white light visible from a distance of at least five hundred feet to the front, and with a red reflector of a type which shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle; or (2) a lamp emitting a red light visible from the distance of five hundred feet to the rear together with clearly visible reflectorized clothing.

Section 4.7. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Dave Rosenberg
Member of Council